

# EXHIBIT D

The Honorable Ricardo S. Martinez

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE**

STATE OF WASHINGTON,

Plaintiff,

v.

ALDERWOOD SURGICAL CENTER,  
LLC, a Washington limited liability  
company; NORTHWEST NASAL  
SINUS CENTER, P.S., a Washington  
professional service corporation, and  
JAVAD A. SAJAN, M.D.,

Defendants.

NO. 2:22-cv-01835-RSM

DECLARATION OF SHIELIENE  
RAINES

I, Shieliene Raines, declare as follows:

1. I make this declaration with personal knowledge of the matters set forth herein and, if called upon to testify, I could and would testify competently thereto. My knowledge is based upon my direct personal involvement with Alderwood Surgical Center, LLC, d/b/a Allure Esthetic, d/b/a Gallery of Cosmetic Surgery ("Allure Esthetic"), a Seattle-area plastic surgery business run by Dr. Javad Sajan.

2. I live in Yelm, Washington. I came to know of Allure Esthetic from online research I did looking for a surgeon who had lots of experience with revision surgery. This was in early 2021. I was attracted to Dr. Sajan and Allure Esthetic due to the huge number of positive reviews they had. I read most every review, especially anything that had to do with revision

1 surgeries. I also went onto Dr. Sajan's website and looked at before and after photos to see the  
2 quality of his work. The before and after photos were impressive. Additionally, I watched several  
3 YouTube videos that were posted on his RealDrSeattle channel. I don't recall seeing any  
4 disclaimers about the possibility of the before and after photos being altered. I believe I would  
5 remember that because I was purposefully looking for anything negative online. I had a bad  
6 experience with the previous surgeon so I was especially cautious in choosing a doctor for the  
7 revision. Negative reviews or a disclaimer saying the photos may be altered would have set off  
8 an alarm.

9         3. I initially reached out to Allure Esthetics through the chat feature on their website  
10 on May 19, 2021. After some discussion with the Allure Esthetic team I was encouraged to  
11 schedule an in-person consultation. I was asked to pay a \$100 fee for the consultation. They told  
12 me the fee would be credited to any future surgeries. I paid the fee with a credit card over the  
13 phone, and only after I received a copy of the invoice itself as an attachment to an email did I  
14 see that the fee was non-refundable. They did not tell me this during the conversation. A copy  
15 of the email they sent me with the invoice attached is Exhibit A.

16         4. After I paid the consultation fee, they sent me another email with a link to  
17 complete paperwork online via [patient.touchmd.com](https://patient.touchmd.com). A copy of that email with the link is  
18 Exhibit B. Included among the several documents they sent was a mutual non-disclosure  
19 agreement which I signed on May 19, 2021. A copy of that signed mutual non-disclosure  
20 agreement is attached as Exhibit C.

21         5. The non-disclosure agreement caught my attention because the verbiage seemed  
22 restrictive and talked about not posting negative reviews on social media. I was alarmed because  
23 I had not signed this type of document during my previous surgery at the other doctor's office.

24         6. I had my in-person consultation with Dr. Sajan on September 7, 2021. When I  
25 arrived at the Lynnwood office, a patient care coordinator gave me another stack of papers to  
26 complete prior to seeing the doctor. I do not recall what those documents were about. I recall her

1 asking me to post a positive review, and me replying that I was not comfortable posting a review  
2 before seeing the doctor. The fact that she asked me to post a positive review reminded me of  
3 the electronic non-disclosure agreement I had signed. I inquired about that agreement that I  
4 signed online and what it was used for. She casually said, "You have nothing to worry about,  
5 Dr. Sajan really values his patients and their satisfaction, if you have any issues, just reach out  
6 to us and we'll make it right." After my consultation with Dr. Sajan, I decided to proceed with  
7 the surgery.

8         7. I had the revision surgery January 21, 2022, at the Lynnwood location with  
9 Dr. Sajan. Afterwards, he told me the surgery had gone well. However, when the bandages came  
10 off I noticed my right nipple was darker and discolored as though the skin was dying. The entire  
11 breast was painful to touch, yet numb. I brought it to Dr. Sajan's attention during my first follow  
12 up visit on January 24, 2022. Dr. Sajan stated, "The implants are large and it's most likely due  
13 to some compression on the nerves, it's a temporary thing, and will work itself out" or words to  
14 that effect He made me feel as though I was imagining things when the nipple was clearly darker.  
15 He kept saying I don't see it and was condescending as though I was being too critical. At the  
16 end of the visit he assured me things would be fine and reminded me that I had agreed to not  
17 post a negative review.

18         8. I was displeased and frustrated with Dr. Sajan's response. I would have posted a  
19 negative review right after that visit because he was so dismissive regarding my concerns, but I  
20 didn't because of the agreement that Dr. Sajan reminded me I signed.

21         9. When the issue did not resolve I brought it to his attention again at the next two  
22 follow up visits on January 31, 2022, and February 21, 2022. Each time, Dr. Sajan brushed off  
23 my concern and said "We'll continue to monitor it and see where things are at the  
24 next appointment."

25         10. On February 25, 2022, the incision on that breast started to open. I sent a photo  
26 of my breast to Allure Esthetic through MyTouchMD and they scheduled me in for another

1 office visit on February 28, 2022. During that visit, Dr. Sajan told me the problem was a result  
2 of my body rejecting a stitch. He then bandaged it and sold me an ointment that was part of a  
3 three-step “after surgery” treatment for approximately \$100. Once again, he reminded me of the  
4 agreement to not post a negative review and assured me he would make it right.

5 11. On March 3, 2022, the incision opened up further and the nipple was darker and  
6 more painful, yet still numb. I continued to communicate with the office and sent them additional  
7 photos on March 14th, 15th, and 17th. They finally asked me to come back in again on March  
8 21, 2022. Once again, Dr. Sajan told me, “Don’t worry about it. I’m going to give you a device  
9 that will heal the incision without additional surgery,” or words to that effect. He said the process  
10 was called negative pressure wound therapy and normally costs \$3,000, but he was giving it to  
11 me for free because he wanted to “make it right.” He continued to talk about the monetary value  
12 of the procedure as though he was doing me a favor, and he reminded me to not write a negative  
13 review, because he was making it right.

14 12. The negative pressure therapy eventually closed the wound but the scar on that  
15 breast was unsightly. When I complained to Dr. Sajan about the scar, he told me to continue to  
16 use the ointment and gave me phase two of the ointment therapy for free. I questioned why I  
17 couldn’t use the first phase medication that they had charged me nearly \$100 for. He said that  
18 the phase one ointment was for maintaining a fresh incision which was not the case for me  
19 anymore. He instructed that I move to phase two of the treatment, but not to worry as he would  
20 give me the new ointment for free because he wanted to make things right, and he reminded  
21 again me again I should not post a negative review.

22 13. I continued to use the ointment as directed but did not see any results. I expressed  
23 my discontent at every follow up appointment later in March 2022, as well as the appointments  
24 on April 4, 2022, and May 2, 2022. During the May 2, 2022 visit, Dr. Sajan told me that I should  
25 wait a year and if I was still dissatisfied he would give me a revision surgery for free. At the  
26 same time, he reminded me again of the agreement to not to post a negative review.

1           14. By this time I came to understand that Dr. Sajan was more concerned about me  
2 writing a negative review than fixing the problem and truly making it right. I was infuriated and  
3 remembered that during my first visit I was even encouraged to post a positive review before  
4 seeing him.

5           15. At this juncture, I felt deceived and trapped. I would have absolutely posted a  
6 negative review but they had led me to believe the social media agreement was a legally  
7 binding contract.

8           16. I paid \$23,000 for the revision surgery. Dr. Sajan was more expensive than other  
9 doctors but I justified the additional costs because of all the positive reviews and because he  
10 assured me in the consultation that he was the best in Seattle for this type of surgery.

11           17. My husband and I signed up for a CareCredit credit card and charged half the  
12 surgery to the card and paid for the remaining from my husband restricted stock units from  
13 Amazon. The interest rate on the credit card was over 20% and eventually the debt became so  
14 burdensome I had to take out a personal loan to pay off the credit card charge. I had lost my faith  
15 in Dr. Sajan but could not ask my husband for more money to see another doctor. He had already  
16 given me \$11,000 from money that was earmarked to pay other debt. I had spent lots of money,  
17 was unhappy, and could not voice an opinion. I dreaded the follow up visits because Dr. Sajan  
18 always made me feel bad about bringing anything up.

19           18. I was scheduled to have another post-op appointment on July 26, 2022, but I  
20 voluntarily agreed to postpone that appointment when I received a text message from Allure  
21 Esthetic asking for volunteers to reschedule their appointment for that day. I volunteered and  
22 received another text thanking me and telling me they would reach out again to reschedule. To  
23 date, no one has reached out.

24           19. On September 7, 2023, more than a year and half after the revision surgery, I  
25 decided that despite everything I would reach out to Allure Esthetic and schedule a follow up to  
26 discuss the scars, welting, numbness and pain that I am still experiencing today. I recalled

1 hearing that Allure Esthetic was considering opening an office in Lakewood, Washington, so I  
 2 did a Google search to see if that was an option since I now live in Yelm and no longer work  
 3 in Seattle.

4 20. During that search I came across an article about the Attorney General's case  
 5 regarding non-disclosure agreements, fake positive reviews, and altered before and after photos.  
 6 All the pieces came together, and I felt duped and deceived. I feel like I cannot trust Allure  
 7 Esthetic or Dr. Sajan. I was tricked into believing he was the best in Seattle since nearly all of  
 8 his reviews were five stars. They made me believe the nondisclosure agreement I signed  
 9 prevented me from posting a negative review, and Dr. Sajan reminded me of this at each follow  
 10 up visit.

11 21. I declare, under penalty of perjury under the laws of the State of Washington, that  
 12 the foregoing is true and correct.

13   
 14 SHIELIENE RAINES

15 Place Signed: Yelm, WA  
 16 City, State

17 Date: 9/19/2023  
 18 MM/DD/YYYY

# EXHIBIT A



**From:** [Shieliene Raines](#)  
**To:** [Suner, Victoria \(ATG\)](#)  
**Subject:** Fwd: Allure Esthetic Invoice  
**Date:** Wednesday, September 13, 2023 9:54:03 AM  
**Attachments:** [9eeb9c1cc6c14d7aaa0b7979be082fc1.PNG](#)  
[Allure Invoice.pdf](#)  
[9eeb9c1cc6c14d7aaa0b7979be082fc1.PNG](#)

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[EXTERNAL]

----- Forwarded message -----

**From:** **Samantha Moore** ([samanthamoore@allureesthetic.com](mailto:samanthamoore@allureesthetic.com))  
<[contactus@seattleplasticsurgery.com](mailto:contactus@seattleplasticsurgery.com)>  
**Date:** Wed, May 19, 2021, 10:27 AM  
**Subject:** Allure Esthetic Invoice  
**To:** <[shylie82@gmail.com](mailto:shylie82@gmail.com)>



Dear Shieliene,

I have attached your current invoice.

Please call the office at 206 209 0988 if you have any questions.

Thank you,

Samantha Moore

Seattle Plastic Surgery  
600 Broadway Suite 320  
Seattle, WA 98122



DOB: [REDACTED] 1982

[illegible]

**BALANCE DUE: \$0.00**

Javad Sajjan, MD | Seattle: (206) 209-0988 | Fax: (206) 209-0992 | [www.allureesthetic.com](http://www.allureesthetic.com)  
 Craig Jonov, MD, DMD | Lynnwood: (425) 775-3561 | Fax: (425) 672-1385 | [www.cosmeticsurgeryforyou.com](http://www.cosmeticsurgeryforyou.com)  
 Seattle Plastic Surgery: (206) 324-1120 | [www.seattleplasticsurgery.com](http://www.seattleplasticsurgery.com)

**Delinquency Policy:** Payments for goods and services must be made in full at the time of service or delivery of goods. In the event payment is not made timely, any balance will be subject to a 3% monthly finance charge. Written notice will be provided to the mailing address on file after 60 days and 90 days of delinquency. After 90 days of written notice of delinquency, Alderwood Surgical Center shall take action to collect the debt owed, up to and including debt collections and legal action. Initials \_\_\_\_\_

**Quote and Fee Estimate Policy:** Dr. Sajan's and Dr. Jonov's quote is intended to provide an estimate only, and is subject to change at the discretion of Alderwood Surgical Center. The fees stated in the quote are estimated costs of any procedures listed on the quote. Any discounts given for the procedural plan are as listed, and any deviation from the original procedural plan may result in a loss of discount. The doctor's quote is inclusive of the following expenses: operating room fees, doctor's fees, anesthesia fees. Any revisions or touch ups are subject to additional facility, doctor, and anesthesia fees. In the event that Lab Work/EKG/ Medical Clearance is required prior to surgery, Alderwood Surgical Center must receive written documentation no later than two (2) weeks prior to the surgery. Otherwise, Alderwood Surgical Center reserves the right to cancel the surgery; please refer to the cancellation policy for more information. Initials \_\_\_\_\_

# EXHIBIT B

**From:** [Shieliene Raines](#)  
**To:** [Suner, Victoria \(ATG\)](#)  
**Subject:** Fwd: Allure Esthetic Upcoming Appointment  
**Date:** Wednesday, September 13, 2023 9:52:32 AM  
**Attachments:** [53c1c80336784ee08a3e69a911536b37.PNG](#)  
[41969aa8001148e08522e71d55ce20cc.PNG](#)  
[53c1c80336784ee08a3e69a911536b37.PNG](#)  
[41969aa8001148e08522e71d55ce20cc.PNG](#)

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[EXTERNAL]

----- Forwarded message -----

From: **Samantha Moore** ([samanthamoore@allureesthetic.com](mailto:samanthamoore@allureesthetic.com))  
<[contactus@seattleplasticsurgery.com](mailto:contactus@seattleplasticsurgery.com)>  
Date: Wed, May 19, 2021, 10:28 AM  
Subject: Allure Esthetic Upcoming Appointment  
To: <[shylie82@gmail.com](mailto:shylie82@gmail.com)>



Dear Shieliene,

Congratulations on scheduling your upcoming appointment with Allure Esthetic!

Upcoming Appointment with Javad Sajan, MD on Tue 9/7/2021 at 1:00 PM. **Please kindly take the time to complete your patient paperwork online at [patient.touchmd.com](http://patient.touchmd.com) prior to your appointment to minimize contact time spent in office and to best practice social distancing.**

**The address to our location is:**

**600 Broadway Suite 320  
Seattle, WA 98122**

**(206) 209 - 0988**

We are requiring all patients to **please wear a mask to enter the office.**

For safety precautions, children under the age of 10 are unable to enter the facility.

**As a courtesy to our patients and providers, please kindly provide prior business day notice for any cancellations or rescheduling of appointments to avoid being charged a \$50 same day cancellation fee.  
For any Monday appointments, please notify our office by Friday 9pm PST.**

To ensure all patients are seen in a timely fashion, please arrive on time for your scheduled appointment.

Prior to your appointment, we ask that you kindly fill out your patient paperwork online. Please visit <https://patient.touchmd.com/#/> **at least 48 hours prior to your scheduled appointment time.**

Your login will be your email address you provided. You *do not* need a Doctor's Registration code as your account has already been created. You will receive a separate Welcome E-mail directly from Touch MD with a link to set up your password. This will be available within 24 hours of scheduling your appointment. If you are unable to locate the email, please check your spam. Otherwise, you are able to attempt to log in and request a password reset. If we have not received your date of birth, you will not be able to successfully log in to your account.

For the Seattle Office, we are located at the corner of Broadway and James Street / East Cherry Street. There is limited street parking and a garage associated with the building. The parking garage entrance is located at a dead end street - East Cherry Street. It is the last parking garage entrance on the right labeled "Public Parking." There are 2 parking levels. Please see map image included below.

Parking fees are as follows for Seattle:

0 - 15 mins: \$1  
16 - 30 mins: \$2  
31 mins - 1 hour: \$7  
1 - 2 hours: \$9  
2 - 3 hours: \$11

Please don't hesitate to contact us if you have any additional questions or concerns.

Have a wonderful day!

Thank you,

Samantha Moore



# EXHIBIT C



## Ae. Mutual Non-Disclosure Agreement (5)

We take great pride in our reputation for providing the highest levels of quality medical care to our patients. However, we realize there are times when some patients may not be satisfied with the outcome of their treatments. We also recognize that in these instances, a patient has every right to voice their opinion if they are dissatisfied with our service. We respect every patient's right to do so and we welcome the opportunity to correct any issue or concern that may arise.

If I am concerned with the care or service provided to me, Alderwood Surgical Center (DBA Gallery of Cosmetic Surgery, Allure Esthetic, and Seattle Plastic Surgery) and Shielen Raines agree to do the following:

**SR**  
INITIALS

First, Patient agrees to call Alderwood Surgical Center at (206) 209-0988 or (425) 775-3561 and allow Dr. Javad Sajan, Dr. David Santos, and/or Dr. Craig Jonov, and any other person affiliated with Alderwood Surgical Center the opportunity to resolve the issue. I understand that calling Alderwood Surgical Center is a more effective means of reaching a resolution than posting negative reviews. I understand that this Agreement covers all forms of media including online review sites.

**SR**  
INITIALS

Alderwood Surgical Center and its affiliates will make a good faith effort to resolve your concern and will communicate with you in a timely manner to expedite the process.

**SR**  
INITIALS

I agree to work with Alderwood Surgical Center and its affiliates to correct the issue until a resolution is reached.

If you have any questions regarding this form, please do not hesitate to ask your physician or their assistants.

Patient Signature

A handwritten signature in black ink, appearing to read 'Shielen Raines', written over a horizontal line.

You have the option to sign this Agreement electronically or sign a paper copy of this Agreement. By signing electronically using any device, means or action, you consent to the legally binding terms and conditions of this Agreement. You further agree that your signature on this Agreement (hereafter referred to as your 'E-Signature') is as valid as if you signed this Agreement in writing. You also agree that no certification authority or other third party verification is necessary to validate your E-Signature, and that the lack of such certification or third party verification will not in any way affect the enforceability of your E-Signature or any resulting agreement between you and Allure Esthetic/The Gallery of Cosmetic Surgery/Seattle Plastic Surgery. You are also confirming that you are authorized to enter into this Agreement in your behalf. You understand that by selecting the 'Decline' button you have the option to have this Agreement made available to you in paper form for hand signing.

You acknowledge that you have access to an account with an internet service provider, and you are able to view or download a copy of the this Agreement by accessing your secure TouchMD account at <https://patient.touchmd.com/> (requires the latest web browser), or by using the myTouchMD app (requires the latest iOS or Android version). You understand that a paper copy of this Agreement can also be obtained by contacting Allure Esthetic/The Gallery of Cosmetic Surgery/Seattle Plastic Surgery at [contactus@allureesthetic.com](mailto:contactus@allureesthetic.com) or by calling 206-209-0988.

# Certificate of Completion

Patient Name: Shielien Raines

Patient Email: shylic82@gmail.com

Patient Date of Birth: [REDACTED] 1982

Document Id: e9bfea6c-7332-4d8b-968c-cf182126112c

Assigned: 2021-05-19 17:37:38Z (UTC)

Signed: 2021-08-09 02:00:24Z (UTC)

Method: Freeform Signing via patient.touchmd.com